

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Timothy P. Jones
Leandra Jones
fka Leandra Pavlik
Debtor(s)

Bankruptcy Case No.: 19-22563-TPA
Per January 9, 2020 proceeding
Chapter: 13
Docket No.: 42 – 17, 34
Concil. Conf.: 3/26/20 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 19, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$6738.00 as of January 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on 3/26/20 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Revenue (CI #5); Loancare LLC (CI #17); Mt. Lebanon Stormwater (CI #11) .
- ☒ H. Additional Terms: The secured claim of United Community FCU (CI #6) shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: January 16, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Timothy P. Jones
 Leandra Jones
 Debtors

Case No. 19-22563-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 35

Date Rcvd: Jan 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 18, 2020.

db/jdb
 crcm +Timothy P. Jones, Leandra Jones, 11 Mt. Lebanon Blvd., Pittsburgh, PA 15228-1834
 +Municipality of Mt. Lebanon, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +United Community Federal Credit Union, c/o McGrath McCall, P.C.,
 Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225
 15092988 +American Express, PO Box 981537, El Paso, TX 79998-1537
 15087881 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15077669 Bank of America, 4060 Ogeltown/Stanton Rd, Newark, DE 19713
 15100099 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 15077675 +First Premier Bank, 3820 N. Louise Avenue, Sioux Falls, SD 57107-0145
 15077677 Jordan Tax Service, 7100 Baptist Road, Bethel Park, PA 15102-3908
 15118220 +LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452-4262
 15092989 +Mt Lebanon School District, 710 Washington Road, Pittsburgh, PA 15228-2018
 15092990 Mt. Lebanon Township, c/o Jordan Tax Service, 102 Rahway Road, Canonsburg, PA 15317-3349
 15092991 +Mt. Lebanon Township, c/o Jordan Tax Service, 710 Washington Road,
 Pittsburgh, PA 15228-2018
 15109455 +Municipality of Mt. Lebanon, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 15079217 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15077679 +Solarz A. Rebecca, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
 15099516 +United Community Federal Credit Union, c/o McGrath McCall, P.C.,
 Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225
 15077681 +United Wholesale Mortgage, PO Box 77404, Ewing, NJ 08628-6404
 15077682 +Voelker & Kairys, LLC fka Voelker & Colton, LLC, c/o Charles P. Voelker, Esq.,
 310 Grant Street, Ste. 1220, Pittsburgh, PA 15219-2262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Jan 17 2020 03:17:54 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 17 2020 03:24:12
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15117439 E-mail/Text: ally@ebn.phinsolutions.com Jan 17 2020 03:14:46 Ally Bank, PO Box 130424,
 Roseville MN 55113-0004
 15077668 E-mail/Text: ally@ebn.phinsolutions.com Jan 17 2020 03:14:46 Ally Financial,
 PO Box 9001951, Louisville, KY 40290-1951
 15077671 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 17 2020 03:24:06 Capital One Bank, NA,
 PO Box 85015, Richmond, VA 23285-5075
 15077670 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 17 2020 03:22:46 Capital One,
 PO Box 71083, Charlotte, NC 28272-1083
 15085304 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 17 2020 03:23:27
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15077673 +E-mail/Text: bdsupport@creditmanagementcompany.com Jan 17 2020 03:17:32 Credit Management,
 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 15077674 E-mail/Text: mrdiscen@discover.com Jan 17 2020 03:15:43 Discover Bank, PO Box 15316,
 Wilmington, DE 19850-5316
 15083101 E-mail/Text: mrdiscen@discover.com Jan 17 2020 03:15:43 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15077676 E-mail/Text: cio.bncmail@irs.gov Jan 17 2020 03:15:56 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 15089665 E-mail/PDF: resurgentbknofications@resurgent.com Jan 17 2020 03:24:20 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15077678 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jan 17 2020 03:16:39
 Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,
 Harrisburg, PA 17128-0946
 15077680 +E-mail/Text: cwebb@unitedcommunityfcu.org Jan 17 2020 03:17:57 United Community FCU,
 6010 Mountain View Drive, West Mifflin, PA 15122-2425
 15110566 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jan 17 2020 03:23:41 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
 15077683 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 17 2020 03:16:10 Wayfair, PO Box 659450,
 San Antonio, TX 78265-9450

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LoanCare, LLC
 cr United Shore Financial Services, LLC d/b/a United

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 35

Date Rcvd: Jan 16, 2020

15077672* Capital One Po Box 71083, Charlotte, NC 28272-1083

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 18, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 16, 2020 at the address(es) listed below:

Ann E. Swartz on behalf of Creditor LoanCare, LLC ecfmail@mwc-law.com,
ecfmail@ecf.courtdrive.com
Christopher M. Frye on behalf of Debtor Timothy P. Jones chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com; todd@steidl-steinberg.com; leslie.nebel@steidl-steinberg.com; cgo@steidl-steinberg.com; r53037@notify.bestcase.com; rlager@steidl-steinberg.com; kmeyers@steidl-steinberg.com
Christopher M. Frye on behalf of Joint Debtor Leandra Jones chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com; todd@steidl-steinberg.com; leslie.nebel@steidl-steinberg.com; cgo@steidl-steinberg.com; r53037@notify.bestcase.com; rlager@steidl-steinberg.com; kmeyers@steidl-steinberg.com
Derek J Markle on behalf of Creditor United Community Federal Credit Union
dmarkle@lenderlaw.com
James Warmbrodt on behalf of Creditor United Shore Financial Services, LLC d/b/a United
Wholesale Mortgage bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Committee Municipality of Mt. Lebanon jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 9